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Filing date: **09/02/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186148
Party	Plaintiff Publix Asset Management Company
Correspondence Address	JAMES B LAKE THOMAS & LOCICERO PL 601 SOUTH BOULEVARD TAMPA, FL 33606 UNITED STATES jlake@tlolawfirm.com, tgilley@tlolawfirm.com
Submission	Motion to Extend
Filer's Name	James B. Lake
Filer's e-mail	trademarks@tlolawfirm.com
Signature	/James B. Lake/
Date	09/02/2015
Attachments	Notice of Bankruptcy and Motion to Extend Deadlines with Exhibit.pdf(339999 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Publix Asset Management Company,

Opposer,

v.

Opposition Nos. 91186148 & 91186863  
(consolidated under No. 91186148)

The Great Atlantic & Pacific Tea Company, Inc.,

Applicant.

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**OPPOSER'S NOTICE REGARDING APPLICANT'S BANKRUPTCY  
AND MOTION AND PETITION TO EXTEND DEADLINES**

Opposer, Publix Asset Management Company ("Publix"), gives notice that Applicant, The Great Atlantic & Pacific Tea Company, Inc. ("A&P"), has filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code. Accordingly, a suspension of these proceedings is warranted. Publix moves the Board to extend the time for rehearing, reconsideration, modification of the Board's August 7 opinion in these proceedings, and Publix petitions the Director to extend the time for filing an appeal.

"The Board will issue an order suspending proceedings if it comes to the attention of the Board that the defendant has filed a petition for bankruptcy." TBMP § 510.03(a). A&P has filed such a petition. *See* Exhibit A (first pages of bankruptcy docket and petition in Case No. 15-23007 (Bkr. S.D.N.Y. 2015)). A&P's bankruptcy petition operates as a stay of, among other things, continuation of all judicial, administrative, or other actions or proceedings against A&P. 11 U.S.C. § 362(a).

Publix's counsel has conferred with A&P's counsel regarding this matter. The parties agree the automatic stay applies to these proceedings.

Because the automatic stay bars Publix from seeking rehearing, reconsideration, modification or an appeal of the Board's August 7 opinion, a suspension of this proceeding is warranted, including extension of the deadlines for rehearing and an appeal. *See* Trademark Rule of Practice 2.129(c) (time for hearing or reconsideration may be extended by order of the Board on motion for good cause); 2.145(e) (Director may extend time for filing an appeal or commencing a civil action for good cause shown). In this case, A&P's bankruptcy and the automatic stay provide good cause.

WHEREFORE, Publix requests a suspension of this proceeding and an extension of the deadlines for seeking rehearing, reconsideration or modification of the Board's August 7 opinion and for an appeal of that opinion.

Respectfully submitted,

THOMAS & LOCICERO PL

/James B. Lake/

Carol Jean LoCicero

Florida Bar No. 603030

James B. Lake

Florida Bar No. 0023477

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601 S. Boulevard

Tampa, FL 33606

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Attorneys for Opposer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 2, 2015, a true and complete copy of the foregoing motion has been sent by e-mail and First Class U.S. Mail, postage pre-paid, to:

Deborah K. Squiers, Esq.  
DKS@cjl.com  
Cowan, Liebowitz & Latman  
1133 Avenue of the Americas  
New York, NY 10036

/James B. Lake/

Attorney

**Repeat, Lead, MEGA, CLMAGT**

**U.S. Bankruptcy Court  
Southern District of New York (White Plains)  
Bankruptcy Petition #: 15-23007-rdd**

*Date filed:* 07/19/2015

*Assigned to:* Judge Robert D. Drain  
Chapter 11  
Voluntary  
Asset

**Debtor****The Great Atlantic & Pacific Tea Company, Inc.**

2 Paragon Drive  
Montvale, NJ 07645  
BERGEN-NJ  
Tax ID / EIN: 13-1890974

**aka A & P****aka A&P Beverage Center****aka A&P Fresh****aka A&P Fresh Market****aka A&P Super Foodmart****aka A&P Warehouse Liquors****aka A&P Wines & Liquors****aka A&P Wines & Spirits****aka Best Cellars****aka Best Cellars At A&P****aka Best Cellars By A&P****aka Community Supermarket Corporation****aka Dominion****aka Farmer Jack****aka Food Basics****aka Food Emporium****aka Food Mart****aka Glenholden Stuart, Inc.****aka Hamilton Property I, Inc.****aka Kohl's****aka Liquor Basics****aka Live Better! Pharmacy****aka Lo-Lo Discount Stores, Inc.****aka New Pathmark Central Corp.****aka Pathmark****aka Pathmark Food & Drug****aka Pathmark Food And Drugs****aka Pathmark Sav-A-Center****aka Pathmark Save-A-Center****aka Pathmark Super Center**represented by **Garrett A. Fail**

Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
212-310-8000  
Fax : 212-310-8007  
Email: [garrett.fail@weil.com](mailto:garrett.fail@weil.com)

**Ray C Schrock**

Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
212-310-8000  
Fax : 212-310-8000  
Email: [ray.schrock@weil.com](mailto:ray.schrock@weil.com)

*aka Sav-A-Center*  
*aka Save A Center Pathmark*  
*aka Shopwell Liquors, Inc.*  
*aka Sumarserve, Inc.*  
*aka Super Foodmart*  
*aka Super Fresh*  
*aka Super Fresh Food Market*  
*aka Super Fresh Super Store*  
*aka Superfresh*  
*aka Supermarket General Corp.*  
*aka The A&P Tea Co., Inc.*  
*aka The Barn Markets*  
*aka The Food Emporium*  
*aka The Wine Emporium, Inc.*  
*aka Ultra Food & Drug*  
*aka Waldbaum, Inc.*  
*aka Waldbaums*  
*aka Waldbaum's*  
*aka Waldbaums Fresh*  
*aka Waldbaums Fresh Market*

***U.S. Trustee***

United States Trustee  
Office of the United States Trustee  
U.S. Federal Office Building  
201 Varick Street, Room 1006  
New York, NY 10014  
(212) 510-0500

represented by **Brian Shoichi Masumoto**  
Office of the United States  
Trustee  
33 Whitehall Street  
21st Floor  
New York, NY 10004  
(212) 510-0500  
Fax : (212) 668-2255

***Claims and Noticing Agent***

**Prime Clerk LLC Claims Agent**  
Attn: Shai Y. Waisman  
830 3rd Avenue, 9th Floor  
www.primeclerk.com  
New York, NY 10022  
(212) 257-5450

***Consumer Privacy Ombudsman***

**Elise S Frejka**  
733 Third Avenue - 15th Floor  
New York, NY 10017  
212-641-0800

represented by **Elise S. Frejka**  
Frejka PLLC  
733 Third Avenue  
New York, NY 10017  
212-615-0848  
Email: [efrejka@frejka.com](mailto:efrejka@frejka.com)

***Creditor Committee***

**The Official Committee of Unsecured Creditors**

represented by **Robert J. Feinstein**  
Pachulski Stang Ziehl & Jones  
LLP  
780 Third Avenue  
36th Floor

New York, NY 10017-2024  
 (212) 561-7700  
 Fax : (212) 561-7777  
 Email: [rfeinstein@pszyj.com](mailto:rfeinstein@pszyj.com)

Filing Date	#	Docket Text
07/19/2015	<u>1</u> (25 pgs)	Voluntary Petition (Chapter 11). Order for Relief Entered. Schedule A due 08/3/2015. Schedule B due 08/3/2015. Schedule C due 08/3/2015. Schedule D due 08/3/2015. Schedule E due 08/3/2015. Schedule F due 08/3/2015. Schedule G due 08/3/2015. Schedule H due 08/3/2015. Summary of schedules - Page 1 due 08/3/2015. Summary of schedules - Page 2 (Statistical Summary) due 08/3/2015. Statement of Financial Affairs due 08/3/2015. Incomplete Filings due by 08/3/2015, Filed by Ray C Schrock of Weil, Gotshal & Manges LLP on behalf of The Great Atlantic & Pacific Tea Company, Inc.. (Schrock, Ray) (Entered: 07/19/2015)
07/20/2015	<u>2</u> (7 pgs)	Corporate Ownership Statement Pursuant to Fed. R. Bankr. P. 1007(a)(1) and 7007.1 and Local Rule 1007-3. (related document(s) <u>1</u> ) Filed by Ray C Schrock on behalf of The Great Atlantic & Pacific Tea Company, Inc.. (Schrock, Ray) (Entered: 07/20/2015)
07/20/2015	<u>3</u> (18 pgs)	Motion for Joint Administration : <i>Motion of Debtors Pursuant to Fed. R. Bankr. P. 1015(b) for Entry of Order Directing Joint Administration of Related Chapter 11 Cases</i> (related document(s) <u>1</u> ) filed by Ray C Schrock on behalf of The Great Atlantic & Pacific Tea Company, Inc.. (Schrock, Ray) (Entered: 07/20/2015)
07/20/2015	<u>4</u> (93 pgs)	Declaration of Christopher W. McGarry Pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York (related document(s) <u>1</u> ) filed by Ray C Schrock on behalf of The Great Atlantic & Pacific Tea Company, Inc.. (Schrock, Ray) (Entered: 07/20/2015)
	<u>5</u> (44 pgs)	Motion to Authorize : <i>Motion of Debtors Pursuant to 11 U.S.C. §§ 105(a), 363, 364, 503, and 507 Requesting Interim and Final Authority to (I) Continue Using Existing Cash Management System, Bank Accounts, and Business Forms, (II) Implement Changes to the Cash Management System in the Ordinary Course Of Business, (III) Continue Intercompany Transactions,</i>

B1 (Official Form 1) (04/13)

United States Bankruptcy Court Southern District of New York				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): <b>The Great Atlantic &amp; Pacific Tea Company, Inc.</b>			Name of Joint Debtor (Spouse) (Last, First, Middle): <b>N/A</b>		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>See Schedule 1 attached hereto.</b>			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): <b>N/A</b>		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>13-1890974</b>			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>N/A</b>		
Street Address of Debtor (No. and Street, City, and State): <b>2 Paragon Drive Montvale, New Jersey</b> <div style="text-align: right;">ZIP CODE <b>07645</b></div>			Street Address of Joint Debtor (No. and Street, City, and State): <b>N/A</b> <div style="text-align: right;">ZIP CODE <b>N/A</b></div>		
County of Residence or of the Principal Place of Business: <b>Bergen</b>			County of Residence or of the Principal Place of Business: <b>N/A</b>		
Mailing Address of Debtor (if different from street address): <b>N/A</b> <div style="text-align: right;">ZIP CODE <b>N/A</b></div>			Mailing Address of Joint Debtor (if different from street address): <b>N/A</b> <div style="text-align: right;">ZIP CODE <b>N/A</b></div>		
Location of Principal Assets of Business Debtor (if different from street address above): <b>See Schedule 2 attached hereto.</b> <div style="text-align: right;">ZIP CODE</div>					
<b>Type of Debtor</b> (Form of Organization) (Check one box.)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below).		<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <b>Food and Drug Retailer</b>		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Chapter 7  <input type="checkbox"/> Chapter 9  <input checked="" type="checkbox"/> Chapter 11  <input type="checkbox"/> Chapter 12  <input type="checkbox"/> Chapter 13           </div> <div> <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding           </div> </div>	
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests: _____ Each country in which a foreign proceeding by, regarding, or against debtor is pending: _____		<b>Tax-Exempt Entity</b> (Check box, if applicable)  <input type="checkbox"/> Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).		<b>Nature of Debts</b> (Check one box.)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.	
<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). ----- Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).		
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					<b>THIS SPACE IS FOR COURT USE ONLY</b>
<b>Estimated Number of Creditors (on a consolidated basis with the entities listed on Schedule 4 hereto)</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 1-49</div> <div><input type="checkbox"/> 50-99</div> <div><input type="checkbox"/> 100-199</div> <div><input type="checkbox"/> 200-999</div> <div><input type="checkbox"/> 1000-5,000</div> <div><input type="checkbox"/> 5,001-10,000</div> <div><input type="checkbox"/> 10,001-25,000</div> <div><input type="checkbox"/> 25,001-50,000</div> <div><input type="checkbox"/> 50,001-100,000</div> <div><input checked="" type="checkbox"/> Over 100,000</div> </div>					
<b>Estimated Assets (on a consolidated basis with the entities listed on Schedule 4 hereto)</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input checked="" type="checkbox"/> More than \$1 billion</div> </div>					
<b>Estimated Liabilities (on a consolidated basis with the entities listed on Schedule 4 hereto)</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input checked="" type="checkbox"/> More than \$1 billion</div> </div>					



<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>The Great Atlantic &amp; Pacific Tea Company, Inc.</b>	
<b>All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet)</b>			
Location Where Filed:	<b>Southern District of New York – See Schedule 3 attached hereto.</b>	Case Number: <b>10-24549 (RDD)</b>	Date Filed: <b>December 12, 2010</b>
Location Where Filed:	<b>N/A</b>	Case Number: <b>N/A</b>	Date Filed: <b>N/A</b>
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>			
Name of Debtor:		Case Number: <b>As Filed</b>	
<b>See Schedule 4 attached hereto.</b>		Date Filed: <b>July 19, 2015</b>	
District: <b>Southern District of New York</b>		Relationship: <b>See Schedule 4 attached hereto.</b>	
Judge: <b>Undetermined</b>			
<b>Exhibit A</b>		<b>Exhibit B</b>	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11).		(To be completed if debtor is an individual whose debts are primarily consumer debts)	
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.		I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b).	
		X Signature of Attorney for Debtor(s) (Date)	
<b>Exhibit C</b>			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.			
<input checked="" type="checkbox"/> No.			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input type="checkbox"/> Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.			
If this is a joint petition:			
<input type="checkbox"/> Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.			
<b>Information Regarding the Debtor Venue</b> (Check any applicable box).			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
<input checked="" type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes).			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
_____ (Name of landlord than obtained judgment)			
_____ (Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
<input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).			

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		<b>Pg 3 of 25</b> Name of Debtor(s): <u>The Great Atlantic &amp; Pacific Tea Company, Inc.</u>
<b>Signatures</b>		
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>	
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p>X <u>/s/ Ray C. Schrock, P.C.</u> Signature of Attorney for Debtor(s)</p> <p><u>Ray C. Schrock, P.C., Garrett A. Fail</u> Printed Name of Attorney for Debtor(s)</p> <p><u>Weil, Gotshal &amp; Manges LLP</u> Firm Name</p> <p><u>767 Fifth Avenue</u> Address</p> <p><u>New York, New York 10153</u></p> <p><u>(212) 310-8000</u> Telephone Number</p> <p><u>July 19, 2015</u> Date</p> <p><small>* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>_____ Signature</p> <p>_____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>Name and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.</i></p>	
<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>/s/ Christopher W. McGarry</u> Signature of Authorized Individual</p> <p><u>Christopher W. McGarry</u> Printed Name of Authorized Individual</p> <p><u>Chief Restructuring Officer and Chief Administrative Officer</u> Title of Authorized Individual</p> <p><u>July 19, 2015</u> Date</p>		

**Schedule 1**

All Other Names Use By the Debtor or its affiliates in the Last 8 Years

A & P	Pathmark Food And Drugs
A&P Beverage Center	Pathmark Sav-A-Center
A&P Fresh	Pathmark Save-A-Center
A&P Fresh Market	Pathmark Super Center
A&P Super Foodmart	Sav-A-Center
A&P Warehouse Liquors	Save A Center Pathmark
A&P Wines & Liquors	Shopwell Liquors, Inc.
A&P Wines & Spirits	Sumarserve, Inc.
Best Cellars	Super Foodmart
Best Cellars At A&P	Super Fresh
Best Cellars By A&P	Super Fresh Food Market
Community Supermarket Corporation	Super Fresh Super Store
Dominion	Superfresh
Farmer Jack	Supermarket General Corp.
Food Basics	The A&P Tea Co., Inc.
Food Emporium	The Barn Markets
Food Mart	The Food Emporium
Glenholden Stuart, Inc.	The Wine Emporium, Inc.
Hamilton Property I, Inc.	Ultra Food & Drug
Kohl's	Waldbaum, Inc.
Liquor Basics	Waldbaums
Live Better! Pharmacy	Waldbaum's
Lo-Lo Discount Stores, Inc.	Waldbaums Fresh
New Pathmark Central Corp.	Waldbaums Fresh Market
Pathmark	
Pathmark Food & Drug	